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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92047013
Party	Defendant Internet FX, Inc.
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Date	11/14/2008
Attachments	Telephonic.pdf (3 pages)(151349 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 3,064,820

Mark: NETTRAK

Registered: March 7, 2006

NeTrack, Inc.,

Petitioner,

v.

Internet FX, Inc.,

Registrant.

) Cancellation No. 92047013
)
)
)

) **REGISTRANT'S REQUEST FOR**
) **TELEPHONIC HEARING PURSUANT**
) **TO TRADEMARK RULE 2.120(i)(1)**
)
)
)

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

BACKGROUND

In accordance with Trademark Rule 2.120(i)(1), Registrant Internet FX, Inc. ("Registrant") hereby moves the Board for a telephonic hearing on its Motion to Suspend, dated November 13, 2008, which Registrant filed based upon the pending decision by the Board on Registrant's Motion to Re-Open Discovery and Reset Trial Periods filed September 25, 2008 ("Motion to Re-Open Discovery"). The parties' respective testimony periods are rapidly progressing, requiring the Board's consideration of this matter in the context of a telephonic hearing.

MATTER FOR CONSIDERATION AT TELEPHONIC HEARING

Registrant submits that a short suspension to permit the Board to consider and decide upon Registrant's Motion to Reopen Discovery will allow the parties to avoid substantial waste in preparing and evaluating testimony evidence as well as to allow the Board to conserve judicial resources.

Respectfully submitted,

MANATT, PHELPS & PHILLIPS, LLP

Dated: November 14, 2008

By: 

Susan E. Hollander, Esq.

Britt L. Anderson, Esq.

Manatt, Phelps & Phillips, LLP

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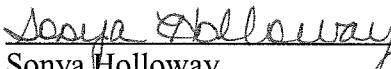
*Attorneys for Registrant
Internet FX, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **REGISTRANT'S MOTION FOR TELEPHONIC HEARING** has been served upon the Petitioner by depositing it with the United States Postal Service as first class mail, postage prepaid, in a sealed envelope addressed to:

Carl Oppedahl, Esq.
Oppedahl Patent Law Firm, LLC
P. O. Box 4850
Frisco, CO 80443-4850

on this 14th day of November, 2008.


Sonya Holloway

CERTIFICATE OF SERVICE